

REMARKS

Claim Rejections under 35 U.S.C § 112/Objections to the Specification

The examiner rejected claim 82 under 35 U.S.C. § 112, first paragraph and objected to the specification on the same basis. Although the applicant does not necessarily agree with the examiner, claim 82 has been amended in view of Das. Therefore, the rejection and objections are moot.

Claim Rejections over the Prior Art

In some embodiments of the present invention, strands 32 of resilient wire may be wrapped around a mandrel having a central axis. As shown in Figures 1, 8, and 10, for a full rotation of at least one of the strands, that strand touches one or more of the other strands. The given strand does not have to touch the same strand throughout the rotation; different strands may touch the given strand at different points of the turn. The sum of the contact with other strands results in substantially continuous contact for a complete turn of the given strand. Claims 65, 66, and 75 have been amended to read on some or all of this feature.

Notably, Das's successive windings, such as 10A and 10B, are set off from each other by at least the distance of the interconnecting portion 12. See Figures 1, 2, and 5, and specification at column 6, line 45-column 7, line 12; column 8, lines 38-66. Thus, Das's windings do not contact each other as claimed in claims 65, 66, and 75. For this reason, reconsideration of the rejections of claims 65, 66, and 75, and claims dependent thereon is requested.

As shown in Figure 8 of the above-referenced application, a cross-section is taken along line 10-10. The cross-sectional view is shown in Figure 10. Referring to Figure 10 at ring 30, the cross-section of the ring 30 is substantially circular. If another similar cross-section were to be taken elsewhere on the ring 30, a similar shape would result. Thus, no matter where a line is drawn to obtain a cross-section similar to the one taken in Figure 8, the same general shape should result. Claims 67 and 82 have been amended to read on some or all of this feature.

Das does not teach all of the limitations of amended claims 67 and 82. For example, referring to Figure 3 of Das, one can envision cross-sections taken at different points, transverse to the page. If cross-sections were to be taken at 20 and at 8, the two cross-sections would look different. Moreover, a cross section at 8 would be through a single wire, not a bundle of windings of wire. Thus, Das does not anticipate amended claims 67 and 82.

In an exemplary embodiment of the present invention, a ring, such as ring 30 may be folded along its diametric axis. In this configuration, the ring may have a reduced cross-sectional configuration. The ring may be connected to a graft such as graft 42. In an embodiment, the graft and ring may be finally positioned within a blood vessel such as the abdominal aorta proximate the right and left renal arteries. In this position a portion of the ring and graft extend past the arteries while another portion of the ring and graft are located just distally of the openings to the arteries. Claims 70, 75, 81, and 82 have been amended to read on certain features exemplified, but not limited to, the above-described embodiment.

There is no evidence in Das that his stent can engage a first body passage near a point of intersection with another body passage such that a graft, to the extent that Das teaches a graft, extends along the length of the first blood vessel and a part of the graft is positioned past a point of the intersection so as not to occlude the opening and to permit communication of the intersection. For example, Das's stent is radially constrained. When the radial constraint is removed, Das's stent expands. *See, e.g.*, column 3, lines 7-23; Figure 11. There is nothing in Figure 11 of Das that shows his stent 101 is able to be in an expanded state or in a final position such that a portion of a graft is past a point of intersection of two blood vessels without occluding an opening at the intersection. Moreover, there is no evidence that one of Das's windings has a diametric axis that can be positioned proximate the intersection while a part of the graft extends past the intersection without occluding an opening at the intersection. For at least these reasons, claims 70, 75, 81, and 82 are distinguished over Das.

Claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Marcade in view of Palmaz and Das. Claim 32 has been amended to include limitations that are similar to those of claim 65, but not the same. To the extent that the limitations are similar, Das does not teach or suggest surface contact between windings, which was addressed above with respect to claim 65.

Neither Marcade nor Palmaz cures the deficiency of Das. For example, referring to Figure 2 of Marcade, his stents 154 and 162 have a curved pattern with open portions. Column 13, line 44-column 14, line 13. Likewise, referring to Figures 9 and 10 of Palmaz, the wall surfaces have slots 173. Column 8, lines 47-55. Thus, neither Marcade nor Palmaz discloses the claimed structure. For these reasons, reconsideration of the rejections is requested.

MISCELLANEOUS

Support for Amendments to the Claims

The foregoing and following examples and citations to the specification are for illustrative purposes only and are not intended to limit the claims to a particular embodiment of the present invention. Moreover, support for the claim amendments is not limited to the following citations to the specification; additional support may be found elsewhere in the specification.

Referring to Figures 1, 8, and 10, a resilient clamping ring 30 is shown. The clamping ring 30 may be formed of a plurality of strands 32 of resilient wire. *See, e.g.*, specification at page 7, lines 6-26. In one embodiment, the ring 30 may be formed by wrapping a single length of wire around a mandrel having a central axis "C" and then securing the strands 32 into a bundle using ties 34. *Id.*

As shown in Figure 1, the ring 30 has a diameter D_K . Specification at page 8, lines 3-17. In some embodiments, the bundle of wrapped strands 32 and the ring 30 have corresponding diameters. *See, e.g.*, Figure 1. Furthermore, the wire that the individual strands 32 are formed from has a diameter and a surface. *See e.g.*, specification at page 7, line 27-page 8, line 2; Figures 1, 8, and 10. Referring to Figure 8, a cross-section of the clamping ring 30 that is taken generally along line 10-10 is shown in Figure 10. In this view, the cross-section of the ring is substantially circular. Moreover, the surfaces of the strands 32 are shown in this view to be near or close to each other and in some instances touching. *Id.*

As shown in Figure 3, the clamping ring 30 may be connected to a region 44 of a graft 42 in some embodiments. Specification at page 9, lines 24-28. In other embodiments, the ring 30 may be included in a bifurcated stent. *See, e.g.*, specification at page 17, lines 14-33; Figures 18 through 21.

Referring back to Figure 1, the ring 30 may be folded along its diametric axis. In this configuration, the ring may have a reduced cross-sectional configuration. Specification at page 8, lines 9-21; Figures 1 and 2. The graft 42 and ring 30 may be positioned within a blood vessel, such as the abdominal aorta, proximate an intersecting vessel, such as the right and left renal arteries. *See, e.g.*, Figures 4 and 5. In this position, a portion of the ring and graft may extend past the renal arteries while another portion of the ring and graft is located just distally of the openings to the arteries. Specification at page 10, line 24-page 11, line 9; Figures 4 and 5.

In view of at least the citations provided above, the specification is believed to support the previously submitted claim amendments.

Copending Applications

A list of the copending applications is provided below. The examiner is requested to refer to the image file wrapper for the 10/118,409, 10/832,159, and 11/205,826 applications to view the claims. Please note that amendments for the '159 and '409 applications will be filed shortly after this amendment.

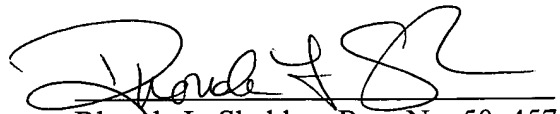
1. Serial No. 10/118,409, filed April 8, 2002, which is a continuation of this application.
2. Serial No. 10/832,159, filed April 26, 2004, which is a divisional of this application.
3. Serial No. 11/205,826, filed August 17, 2005, which is a continuation of application 10/124,944, filed April 18, 2002 (now issued), which is a divisional of this application.

CONCLUSION

In view of the amendments and remarks herein, the application is in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested. The commissioner is authorized to charge any additional fees, including extension of time fees, or credit any overpayment to Deposit Account No. 20-1504 (VAS.0002US).

Respectfully submitted,

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